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GOVERNMENT OF INDIA

RESERVE BANK OF INDIA

NOTIFICATIONS

Bombay, the 2nd April 1949

No. F.E.R.A.82/49-R.B.—In pursuance of sub-section (2) of section 8 of the Foreign Exchange Regulation Act, 1947 (VII of 1947), the Reserve Bank of India is pleased to direct that the following further amendments shall be made in the notification of the Reserve Bank of India No. F.E.R.A.31/47-R.B. dated the 14th August 1947 namely:—

In the first column of the schedule annexed to the said notification—

- (i) in item (a) for the words "French territories in India" the word "Chandernagore" shall be substituted.
- (ii) in item (c) after the words "Portuguese territories in India" the words "French territories in India excluding Chandernagore" shall be inserted.

No. F.E.R.A. 83/49-R.B.—In pursuance of sub-section (2) of section 8 of the Foreign Exchange Regulation Act, 1947 (VII of 1947), the Reserve Bank of India is pleased to direct that the following further amendments shall be made in the notification of the Reserve Bank of India No. F.E.R.A. 58/48-R.B. dated the 25th August 1948 namely:—

In the first column of the schedule annexed to the said notification—

- (i) in item (a) for the words "French territories in India" the word "Chandernagore" shall be substituted.
- (ii) in item (b) after the words "Persian Gulf Ports" the words "French territories in India excluding Chandernagore" shall be inserted.

C. D. DESHMUKH,

Governor.

MINISTRY OF FINANCE (REVENUE DIVISION)

RESOLUTION

New Delhi, the 2nd April, 1949

No. F. 235-F.O./45.—With a view to having a Central authority to improve and co-ordinate the various aspects of Narcotics administration throughout India, including the States and Unions of States, (hereinafter referred to as "States") and also to implement effectively India's obligations under International Agreements, the Government of India have decided, in consultation with the

Provincial Governments and the States, to constitute an All India Narcotics Board, which will consist of the following members:

- (i) Two representatives of the Government of India.
- (ii) Two representatives of the Provincial Governments.
- (iii) Two representatives of the States.

The Board shall be responsible to the Ministry of Finance (Revenue Division) of the Government of India which deals with opium administration and narcotics control.

2. The Board shall employ a Narcotics Adviser together with the necessary staff. The Narcotics Adviser shall be Secretary of the Board, and he and his staff shall be under the Board's Control.

3. The Members of the Board shall each year elect one of themselves to be the Chairman. Decisions of the Board shall be by a majority of votes, the Chairman having a casting vote in case of an equality of votes. Three Members will constitute a quorum. In the absence of the Chairman, the Members present shall elect a Chairman to preside at that meeting.

4. The Board shall meet at least once every three months but the Chairman may obtain the written opinion of the members on an urgent matter and the opinion of the majority as given shall be considered to have the force of a decision of the Board.

5. The Board shall prepare and pass an annual budget to cover the expenditure incurred by it in its duties and on remuneration of its staff. The income required shall be derived initially by the levy of a surcharge on the opium supplied to the Provinces, Chief Commissioners' Provinces and Indian States. The rate of surcharge shall be determined by the Board, with due regard to its expenses. The Board shall, however, have power to replace this system by any other method if it so desires, subject to the approval of the Government of India who will consult the Governments of the Provinces and the States.

6. The Board shall frame such rules and regulations as may be necessary for the proper exercise of its functions and in particular for—

- (a) the audit of the accounts of the Board,
- (b) the preparation of the annual Budget,
- (c) the publication and distribution of the annual report.

The Board shall be mainly an advisory body and shall not be responsible for the day-to-day administration of the Central, Provincial or State Opium Departments.

7. The functions and duties of the Board shall be:—

- (a) to survey, co-ordinate, and advise on narcotics policy for the whole of India;
- (b) to survey the nature of the control exercised over cultivation in producing areas;
- (c) to survey the arrangements made in producing areas for taking over the produce from the cultivators, for processing it in factories where such exist and for issuing it to excise shops for sale;
- (d) to survey the nature and efficacy of the control over retail sale for purposes of consumption;

(e) to survey the nature and efficacy of the safeguards against smuggling of narcotics from the excise shops either before or after sale;

(f) to examine the reasons for any abnormally large *per capita* consumption of narcotics in any area and to suggest means for reducing it;

(g) to examine the possibilities of levelling out the retail sale prices of narcotics throughout India;

(h) to satisfy themselves that the various understandings, agreements and obligations of the Central Government, Provincial Governments and Indian States regarding narcotics administration are being observed; and to suggest remedies to the authorities concerned in cases of non-observance which come to the Board's notice;

(i) to survey the nature and efficacy of the arrangements made at ports throughout India to prevent the smuggling of narcotics overseas;

(j) to collect statistics regarding the production, consumption, etc. of the narcotics throughout India; and

(k) to keep a close watch over the control exercised by authorities concerned over production, distribution and consumption of narcotics so as to ensure that India's obligations under international agreements in this regard are fulfilled.

8. Should the United Nations draw up a new Narcotics Limitation Convention, the Board shall also be responsible for—

(i) recommending through the Government of India to the International Control Body on the basis of information collected from the Indian Dominion including the States, India's annual *production* and *consumption* quota;

(ii) allocating amongst the various producing units in India the annual *production* quota for India that may be fixed by the International Control Body; and

(iii) allocating amongst the various *consuming* units in India the annual *consumption* quota for India that may be fixed by the International Control Body.

9. The functions and duties of the Narcotics Adviser and his staff shall be:—

(i) to conduct the routine business of the Board including its correspondence, the incurring of authorised expenditure and the preparation of accounts;

(ii) to assist in carrying out the surveys and examinations entrusted to him by the Board on the various matters mentioned in paragraphs 7 and 8 above;

(iii) to collect from time to time statistics of narcotics production, consumption, etc. throughout India; and

(iv) to undertake such other duties as the Board may require him to discharge.

10. The tenure of appointment of the Members of the Board shall be two years, but the Members nominated shall be eligible for reappointment. The Provincial Government's representatives shall be nominated by rotation and it has been decided that the representation should, on the first occasion, go to the Governments of U. P. and Assam. The seats allotted to the States shall, in the first instance, be filled by representatives of the Governments of Madhya Bharat and Rajasthan. Any vacancies arising in the representation of the Provinces or the Indian States will be filled in by the Government of India in consultation with the Provincial Governments or the States as the case may be.

11. A meeting of the Board will be convened as soon as possible for the purpose of drawing up staff requirements and framing an outline programme of work and Budget and also to specify qualifications for the post of Narcotics Adviser.

12. Any changes in the constitution or functions of the Board which may be necessitated by a modification in the constitutional relationship between the Government of India on the one hand and the Provinces and States on the other, or indicated by the experience of the sitting Board, or suggested by the Central Government or any Province or State, shall, after due circulation for opinion among all the Provinces and States, and consideration of such opinion by the Government of India be brought into effect by the Government of India.

Ordered that a copy of the Resolution be communicated to all Provincial Governments, Chief Commissioners' Provinces, Indian States, and all Ministries of the Government of India.

Ordered also that the Resolution be published in the *Gazette of India* for general information.

K. R. P. AIYANGAR, Joint, Secy.